

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AURELIUS CAPITAL MASTER, LTD., :

Plaintiff, :

v. :

Case No.: 1:19-CV-0351 (LAP)

THE REPUBLIC OF ARGENTINA, :

Defendant. :

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NOVORIVER S.A., :

Plaintiff, :

v. :

Case No.: 1:19-CV-09786 (LAP)

ARGENTINE REPUBLIC, :

Defendant. :

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ACP MASTER, LTD., :

Plaintiff, :

v. :

Case No.: 1:19-CV-10109 (LAP)

THE REPUBLIC OF ARGENTINA, :

Defendant. :

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[CAPTION CONTINUED ON NEXT PAGE]

~~PROPOSED~~ ORDER

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683 CAPITAL PARTNERS, LP,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No.: 1:19-CV-10131 (LAP)
	:	
THE REPUBLIC OF ARGENTINA,	:	
	:	
Defendant.	:	
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ADONA LLC, EGOZ I LLC, EGOZ II LLC,	:	
MASTERGEN, LLC, ERYTHRINA, LLC,	:	
AP 2016 1, LLC, AP 2014 3A, LLC, AP	:	
2014 2, LLC, AND WASO HOLDING	:	
CORPORATION,	:	
	:	
Plaintiff,	:	Case No.: 1:19-CV-11338 (LAP)
	:	
v.	:	
	:	
THE REPUBLIC OF ARGENTINA,	:	
	:	
Defendant.	:	
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THIS MATTER having come before the Court upon (1) Plaintiffs’ requests pursuant to SDNY Local Rule 37.2 for pre-motion discovery conferences, dated October 18 and October 29, 2021, and (2) the Republic of Argentina’s (the “Republic”) request pursuant to SDNY Local Rule 37.2 for a pre-motion discovery conference, dated November 2, 2021 (*Aurelius Capital Master, Ltd.*, 19-cv-3501, ECF Nos. 52, 55, 57; *Novoriver, S.A.*, 19-cv-09786, ECF Nos. 40, 43, 45; *ACP Master, Ltd.*, 19-cv-10109, ECF Nos. 41, 44, 46; *683 Capital Partners, L.P.*, 19-cv-10131, ECF Nos. 43, 46, 48; *Adona LLC et al.*, 19-cv-11338, ECF Nos. 47, 50, 52); and

WHEREAS, on November 9, 2021, the Court held a conference to address the aforementioned requests;

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

1. The Republic shall produce non-privileged documents from the office of the President of the Republic of Argentina (Presidente de la Nación Argentina) and the office of the Chief of Cabinet of Ministers of the Argentine Nation (Jefe de Gabinete de Ministros de la Nación Argentina) concerning the decision that INDEC would not publish Actual Real GDP in constant 1993 prices for Reference Year 2013.

2. The Republic shall produce non-privileged documents, concerning INDEC's Annual Program as defined in the Republic's Decree No. 3110/70.

3. The Republic shall produce non-privileged documents, sufficient to show (i) the methodology used to calculate Actual Real GDP in 2004 prices and (ii) the methodology used to calculate the EMAE Index in 1993 prices.

4. The Republic shall produce non-privileged documents concerning the relationship between Actual Real GDP in 1993 prices and the EMAE Index in 1993 prices.

5. Plaintiffs shall produce non-privileged information and documents responsive to the Republic's First Request for the Production of Documents dated June 1, 2021, and First Set of Interrogatories, dated June 1, 2021, concerning: (a) the terms and conditions of their acquisition(s) of and interest in the United States Dollar GDP-linked Securities ("Securities"), including the timing and financing of their acquisition(s); (b) their reasons for acquiring the Securities; or (c) their or other market participants' understandings as to terms of the Securities and the Republic's payment obligations under the Securities.¹

¹ The parties have met and conferred and have a disagreement over the scope of the Court's Order. The Republic contends that the Court ordered Plaintiffs to respond to all of its outstanding document requests and interrogatories. Plaintiffs interpret the Court's statements at the conference as setting the parameters of what responsive material must be produced. To avoid

6. The Republic's designation of the Fourth Witness Statement of Joseph E. Neuhaus, dated May 20, 2021 ("Neuhaus Statement"), as "Confidential" under the Stipulated Protective Order entered on September 21, 2021, in these cases is overturned. The parties shall meet and confer with respect to Defendant's designation of the exhibits to the Neuhaus Statement as "Confidential."

December 1, 2021

Loretta A. Preska

Honorable Loretta A. Preska
United States District Judge

asking the Court to resolve this issue which may become moot, Plaintiffs have agreed to identify, during the course of their review, documents that are responsive to the Republic's requests but that are outside what Plaintiffs believe to be the scope of discovery ordered by the Court so that the parties can meet-and-confer further over this issue if necessary.